



City of Palm Coast

Palm Coast
Community Center
305 Palm Coast Pkwy., NE
Palm Coast, FL 32137
palmcoastgov.com

Meeting Minutes

City Council

Mayor Jon Netts
Vice Mayor Bill McGuire
Council Member Jason DeLorenzo
Council Member Steven Nobile
Council Member Heidi Shipley

Tuesday, July 21, 2015

9:00 AM

Palm Coast Community Center

AMENDED AGENDA

City Staff

Jim Landon, City Manager

William Reischmann, City Attorney

Virginia A. Smith, City Clerk

>Public comment on issues on the agenda or public participation shall be limited to 3 minutes for each speaker.

>If any person decides to appeal a decision made by the City Council with respect to any matter considered at such meeting or hearing, he/she will need a record of the proceedings, including all testimony and evidence upon which the appeal is to be based. To that end, such person will want to ensure that a verbatim record of the proceedings is made.

>The City of Palm Coast is not responsible for any mechanical failure of recording equipment.

>Other matters of concern may be discussed as determined by City Council.

>If you wish to obtain more information regarding City Council's agenda, please contact the City Clerk's Office at 386-986-3713.

>In accordance with the Americans with Disabilities Act, persons needing assistance to participate in any of these proceedings should contact the City Clerk at 386-986-3713 at least 48 hours prior to the meeting.

>City Council Meetings are televised on Brighthouse Networks Channel 199.

>All cell phones are to remain OFF while City Council is in session.

A. Call to Order

Mayor Netts called the meeting to order at 9:00 a.m.

B. Pledge of Allegiance to the Flag

C. Roll Call

City Clerk Virginia Smith called the roll.

Present: 5 - Mayor Netts, Vice Mayor McGuire, Council Member DeLorenzo, Council Member Nobile, and Council Member Shipley

Approval of Minutes

- 1 [15-307](#) MINUTES OF THE CITY COUNCIL'S:
 A. July 7, 2015 City Council Business
 B. July 14, 2015 City Council Workshop

Attachments: [July 7, 2015 Business Meeting](#)
 [July 14, 2015 Workshop](#)

A motion was made by Vice Mayor McGuire, and seconded by Council Member DeLorenzo, that the Minutes be approved as presented. This motion was approved by the following vote:

Approved: 5 - Mayor Netts, Vice Mayor McGuire, Council Member DeLorenzo, Council Member Nobile, and Council Member Shipley

PROCLAMATIONS AND PRESENTATIONS

Presentations

- 2 [15-311](#) PRESENTATION BY COMMANDER RAYMOND A. PARKER,
 DISABLED AMERICAN VETERANS CHAPTER #86

 Commander Parker provided Council with a presentation relating to the Disabled American Veterans Chapter #86.

 The Presentation was Received and Filed.

ORDINANCES, RESOLUTIONS, AND PUBLIC HEARINGS

Order of Business for Public Hearings (Council may make inquiries at any stage):

Open Hearing
Staff Presentation
Applicant Presentation (if applicable)
Council Questions of Applicant (if applicable)
Public Comments/ Presentations
Rebuttal by Applicant (if applicable)
Close Hearing
Council Discussion
Council Action

Second Reading

- 3 [15-212](#) ORDINANCE 2015-XX ADOPTING PROPOSED LAND
 DEVELOPMENT CODE AMENDMENT UPDATING STANDARDS
 FOR DRINKING ESTABLISHMENTS, FENCES, AND WALLS

Attachments: [Ordinance LDC Amendments](#)

City Attorney Garganese read the title into the record.

Mr. Landon gave a brief summary of the item.

Public Comment:
There were no public comments.

A motion was made by Vice Mayor McGuire, and seconded by Council Member DeLorenzo, that the Ordinance be adopted on Second Reading. The motion was adopted by the following vote:

Approved: 5 - Mayor Netts, Vice Mayor McGuire, Council Member DeLorenzo, Council Member Nobile, and Council Member Shipley

Enactment No: O2015-08

First Reading

- 4 [15-286](#) ORDINANCE 2015-XX AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE VI, RETIREMENT, DIVISION 2, VOLUNTEER FIREFIGHTERS' RETIREMENT SYSTEM AND TRUST FUND, AMENDING SECTION 2-549 SUPPLEMENTAL BENEFIT

Attachments: [Ordinance Amend Vol FF Retirement Sec. 2-549](#)
[Letter from Vol. Firefighter Pension Board Chair](#)

City Attorney Garganese read the title into the record.

Mr. Landon gave a brief summary of the item.

Public Comment:
There were no public comments.

A motion was made by Vice Mayor McGuire, and seconded by Council Member DeLorenzo, that the Ordinance be approved on First Reading. The motion was adopted by the following vote:

Approved: 5 - Mayor Netts, Vice Mayor McGuire, Council Member DeLorenzo, Council Member Nobile, and Council Member Shipley

Enactment No: O2015-10

- 5 [15-264](#) ORDINANCE 2015-XX AMENDING THE UNIFIED LAND DEVELOPMENT CODE TO INCLUDE HEIGHT, SETBACK AND DISTANCE STANDARDS FOR WIRELESS COMMUNICATION FACILITIES

Attachments: [Ordinance Cell Tower 2nd reading](#)
[Zoning Map Palm Coast Pkwy Overlay](#)

City Attorney Garganese read the title into the record.

Mr. Landon gave a brief summary of the item. Ms. Constance Bentley provided a PowerPoint presentation to this item, which is attached to these minutes.

VM McGuire-referred to map in presentation with existing indoor signal strength, where did this data come from? Ans: Ms. Bentley-one of the providers that would like to attach to the cell tower.

VM McGuire-If Council approves this change, are we going to see in 6 months down the road, will we see the results of what we do? Ans: Ms. Bentley-When the next provider comes in they will do an update to the report. Mr. Landon-After the tower goes up we do not go back to the provider and ask to show the impact, we do that when a new provider comes in.

Mayor Netts-What about SR 100? Ans: Ms. Bentley-We are receiving inquiries from providers but no provider has submitted a report related to that area as of yet.

CM Nobile-In the dimensional standards, what does N/A stand for? Ans: Mr. Tyner-Not applicable. For an MPD would be not applicable because typically it could be a Master Plan Development, an Ordinance on its own, a specific development agreement with dimensional standards, so if we had Discovery Village as a MPD within that agreement that Council would adopt it has those dimensional standards set in that agreement, so that is what it would go by, the MPD Agreement not the code.

Public Comments:

Louis McCarthy-What will these towers look like?

George Mayo-Appearance and 150 set backs-Belle Terre Blvd has different regulations.

Responses to Public Comments:

Appearances-Mayor Netts-what will this tower look like? Ans: Mr. Landon-At the time of application, we will present each project to Council and what each tower will look like, that is still our standard. It will be a single pole. There are many options out there and we will find one that will work for the provider and it will not be a big ugly tower. Belle Terre Boulevard change is a good suggestion. We can change that for the 2nd reading with Council concurrence.

A motion was made by Council Member DeLorenzo, and seconded by Vice Mayor McGuire, that the Ordinance be approved on First Reading. The motion was adopted by the following vote:

Approved: 5 - Mayor Netts, Vice Mayor McGuire, Council Member DeLorenzo, Council Member Nobile, and Council Member Shipley

Enactment No: O2015-09

Resolutions

- 6 [15-273](#) RESOLUTION 2015-XX TO ESTABLISH THE PROPOSED MAXIMUM MILLAGE RATE FOR FISCAL YEAR 2016 AND SET THE FIRST PUBLIC HEARING DATE ON THE BUDGET

Attachments: [Resolution Approving 2016 Proposed Maximum Millage Rate](#)

Mr. Landon gave a brief overview to this item. Mr. Chris Quinn and Ms. Lina Williams provided a PowerPoint presentation, which is attached to these minutes.

VM McGuire-If Council adopts the 4.2450 rate based upon what the Property Appraiser estimates the revenue, if you will, to be and based upon what you are proposing for our budget, what will that end up looking like at the end of the Fiscal Year, if all those numbers prove to be true? Will we generate a reserve? Ans: Mr. Quinn-It is hard to answer that as we are not done with the budget yet. We are still having those discussions. We typically do not set it so that there is a reserve.

CM Shipley-Does it ever happen that we have not had enough? Ans: Mr. Quinn-No, we have not been in that position, thankfully.

CM DeLorenzo-Are we meeting all our fund balance policies at this time? Ans: Mr. Quinn-Yes, we are.

CM DeLorenzo-Is that way we don't budget for reserves? Ans: Mr. Quinn-Correct.

CM Nobile-Where do we stand on rollback? Ans: Mr. Quinn-The current proposed budget is above roll back.

*Public Comments:
There were no public comments.*

Mr. Landon announced the first Budget Public Hearing is September 9, 2015 at 5:05 p.m.

A motion was made by Vice Mayor McGuire, and seconded by Council Member DeLorenzo, that the Resolution be adopted. This motion was approved by the following vote:

Approved: 5 - Mayor Netts, Vice Mayor McGuire, Council Member DeLorenzo, Council Member Nobile, and Council Member Shipley

Enactment No: R2015-78

Consent Agenda

Public comments shall be held in accordance with Section 286.0114 Florida Statutes. Any member of the public interested in speaking on any item on the Consent Agenda, shall come to the podium, state their name and will have up to three (3) minutes each to speak.

A motion was made by Vice Mayor McGuire, and seconded by Council Member DeLorenzo, to Approve the Consent Agenda. The motion was approved by the following vote: This motion passed unanimously

Approved: 5 - Mayor Netts, Vice Mayor McGuire, Council Member DeLorenzo, Council Member Nobile, and Council Member Shipley

7 [15-271](#)

RESOLUTION 2015-XX APPROVING PRICE AGREEMENTS WITH HARRELL'S, LLC, AND HOWARD FERTILIZER & CHEMICAL COMPANY, INC., FOR VARIOUS LANDSCAPE CHEMICALS FOR MEDIANS AND PARK ATHLETIC FIELDS

Attachments: [Resolution Price Agreements for Landscape Chemicals](#)
 [Contract Summary - Landscape Chemicals](#)
 [Intent to Award - Bid Tabulation](#)

The Resolution was adopted on Consent.

Enactment No: R2015-79

- 8 [15-276](#) RESOLUTION 2015-XX APPROVING PIGGYBACKING THE CONTRACT BETWEEN SEMINOLE COUNTY AND TRAFFICWARE GROUP, INC., TO PURCHASE TS2 TYPE 6 TRAFFIC CABINETS ON AN AS NEEDED BASIS

Attachments: [Resolution Piggyback Seminole County Agreement with Trafficware Group, Inc.](#)
 [Contract Summary - Price Agreement with Trafficware Group](#)
 [Seminole County Contract](#)
 [Trafficware Quote](#)

The Resolution was adopted on Consent.

Enactment No: R2015-80

- 9 [15-285](#) RESOLUTION 2015-XX APPROVING PIGGYBACKING GOVERNMENT CONTRACTS WITH AUDIO VIDEO INNOVATIONS FOR BUDGETED PURCHASES OF TECHNOLOGY AND COMMUNICATIONS SUPPLIES AND MAINTENANCE

Attachments: [Resolution](#)
 [Engagement Letter with AVI](#)

The Resolution was adopted on Consent.

Enactment No: R2015-81

- 10 [15-290](#) RESOLUTION 2015-XX APPROVING THE SELECTION OF BROWN AND BROWN INSURANCE, INC., AS THE AGENT OF RECORD FOR EMPLOYEE BENEFIT SERVICES

Attachments: [Resolution Brown and Brown](#)
 [Contract Summary - Brown & Brown](#)
 [Broker Services RFQ Evaluation](#)

The Resolution was adopted on Consent.

Enactment No: R2015-82

Other Business

D. PUBLIC HEARING CANCELLED

This is to announce that the Public Hearing scheduled to be held at the Palm Coast Community Center during City Council's regularly scheduled business meetings on September 1, 2015 at 6:30 p.m. and September 15, 2015 at 9:00 a.m. for the South Old Kings Road Development of Regional Impact has been cancelled until further notice by the Applicant.

E. Public Participation

Public Participation shall be held in accordance with Section 286.0114 Florida Statutes. After the Mayor calls for public participation each member of the audience interested in speaking on any topic or proposition not on the agenda or which was discussed or agendaed at the previous City Council Workshop, shall come to the podium and state their name. Each speaker will have up to three (3) minutes each to speak. The Mayor will advise when the three (3) minutes are up and the speaker will be asked to take a seat and wait until all public comments are finished to hear answers to all questions. Once all members of the audience have spoken, the Mayor will close public participation and no other questions/comments shall be heard. Council and staff will then respond to questions posed by members of the audience. Should you wish to provide Council with any material, all items shall be given to the City Clerk and made part of the record. If anyone is interested in discussing an issue further or ask additional questions, individual Council Members and staff will be available after the meeting to discuss the matter and answer questions.

Louis McCarthy-It is a pleasure to see Mayor Netts here today. Keep getting well.

Mr. Bess-Policy and procedure for non operational rusty vehicles. What other options are available to take care of this issue?

Henry Florio-tree removal? Was told by City Arborist that it cannot be taken down. Mr. Landon told me I can get permission from the property owner to get the tree removed. There is a conflict.

Responses to Public Comments.

Inoperable vehicle-Mr. Landon-We need proof that the vehicle is inoperable. We cannot take action unless we have proof that the vehicle is inoperable. People will park their cars backed up to the garage as the tag is in the back, so we do not know if the vehicle is registered or not. CM DeLorenzo-We cannot go check the tag because we cannot enter the property.

Tree removal-Ans: Mr. Landon-Private property rights; we have had two arborist look at this tree and both have determined the tree does not meet the criteria to have the tree come down.

CM Nobile is having the same issue where he cannot obtain the permit to remove the live tree. Mayor Netts would like more information on this issue.

F. Discussion by CITY COUNCIL OF MATTERS NOT ON THE AGENDA

VM McGuire-Buxton contract status? Ans: Mr. Landon-It is in the works. VM McGuire-Do you think our cell tower discussion will be of interest to Buxton? Ans:

Mr. Landon-I don't think towers are a Buxton type of issue.

G. Discussion by CITY ATTORNEY OF MATTERS NOT ON THE AGENDA

Nothing at this time.

H. Discussion by CITY MANAGER OF MATTERS NOT ON THE AGENDA

Food Truck Tuesday is tonight. Held at Central Park from 5 p.m. to 8 p.m.

Tour De Palm Coast is this weekend. Dedication of the "Blue Heron" sculpture at 8:30 a.m. at Linear Park.

Ray's Friday update-Activity in the development world will be provided to Council. There are times the developer does ask not to release information publically until they have submitted applications. This will be an addition as pre-items.

I. Adjournment

The meeting was adjourned at 10:07 a.m.

*Respectfully submitted,
Virginia Smith, City Clerk*

Calendar and Worksheet

[15-306](#)

MEETINGS CALENDAR AND AGENDA WORKSHEET

Attachments: [City Calendar](#)
[Agenda Worksheet](#)

[15-312](#)

ATTACHMENTS TO MINUTES

Attachments: [Item 3-Fences, Walls and Drinking Establishments \(10\)](#)
[Item 5-WCF Presentation to 1st reading](#)
[Item 6- 2016 Maximum Millage Rate](#)